

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JULY 17, 2014**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None.

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The meeting was called to order at 8:17 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lawrence announced that the Planning Commission's Tysons Committee had met earlier this evening to discuss transportation issues in the proposed amendment to the Tysons Corner Comprehensive Plan. He said that the Committee would continue this discussion at future meetings at dates to be determined, adding that these meetings would be open to the public. In addition, he indicated that one of the future Committee meetings would be held on an evening that did not have a regular Commission Meeting scheduled to allow sufficient time to address the outstanding issues.

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Commissioner Hedetniemi announced that the Planning Commission's Transportation Committee would meet on Wednesday, July 23, 2014 at 7:00 p.m. in the Board Conference Room at the Fairfax County Government Center, adding that the meeting was open to the public and everyone was welcome to attend.

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Commissioner Sargeant announced that the Planning Commission's Residential Studios Unit Committee would meet on Thursday, July 24, 2014 at 7:00 p.m. in the Board Conference Room at the Fairfax County Government Center.

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Chairman Murphy said that Deputy County Executive Robert Stalzer had held a meeting regarding the economic impact of certain activities throughout the County, but since most of the Commission had not been able to attend, Mr. Stalzer would organize another meeting with the Commission to discuss the issues raised. Commissioner Lawrence supported having such a meeting. Chairman Murphy then requested that Kimberly Bassarab, Deputy Director to the Planning Commission Office, identify suitable dates to hold this meeting.

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Commissioner de la Fe announced that there would be a dedication ceremony for the parking garage for the Wiehle Avenue Silver Line Metrorail Station on Saturday, July 19, 2014 at 10:00 a.m. He added that the dedication for the Wiehle Avenue Silver Line Metrorail Station itself would occur on Saturday, July 16, 2014.

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION APPROVE THE FOLLOWING MINUTES:

JUNE 20, 2013	JUNE 27, 2013	JULY 10, 2013
JULY 18, 2013	JULY 25, 2013	JULY 31, 2013
SEPTEMBER 12, 2013	SEPTEMBER 18, 2013	SEPTEMBER 19, 2013
SEPTEMBER 25, 2013	OCTOBER 2, 2013	OCTOBER 3, 2013
OCTOBER 9, 2013	OCTOBER 16, 2013	OCTOBER 17, 2013
OCTOBER 24, 2013	OCTOBER 30, 2013	

Commissioner Hart seconded the motion which carried by a vote of 9-0-3. Commissioners Hurley, Ulfelder, and Lawrence abstained.

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FS-V14-18 – VERIZON WIRELESS, 8009 Fort Hunt Road

Commissioner Flanagan: Thank you, Mr. Chairman. I have a “feature shown” application listed on the agenda tonight. It is application FS-V14-18, which asks permission to co-locate three panel antennas inside an existing church steeple and also install a 16-foot by 16-foot equipment platform on the existing church rooftop. The church is at 8009 Fort Hunt Road. The existing antennas in the steeple and the equipment platform with canopy was previously approved by the Planning Commission. This co-location will also be invisible from the ground. I concur with the staff’s conclusion that this co-location by Verizon Wireless is substantially in accord with the recommendations of the adopted Comprehensive Plan and should be considered a “feature shown” and THEREFORE MOVE THAT THE PLANNING COMMISSION FIND APPLICATION FS-V14-18 MEETS THE CRITERIA OF LOCATION, CHARACTER, AND

EXTENT, AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioners Litzenberger and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there – and Mr. Sargeant – is there a discussion of that motion? All those in favor of the motion to concur with the “feature shown” determination in FS-V14-18, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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Commissioners Litzenberger and Sargeant seconded the motion which carried by a vote of 12-0.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. RZ/FDP 2014-MV-002 – NCL XII, LLC
2. PA 2013-I-B1 – COMPREHENSIVE PLAN AMENDMENT (REVITALIZATION OF BAILEY’S CROSSROADS) (Mason District)

This order was accepted without objection.

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RZ/FDP 2014-MV-002 – NCL XII, LLC – Appls. to rezone from R-1 to PDH-2 and R-1 to permit residential development with an overall density of 1.39 du/ac and approval of the conceptual and final development plans. Located on the S. side of Telegraph Rd., approx. 300 ft. E. of its intersection with Accotink Rd. on approx. 13.44 ac. of land. Comp. Plan Rec: 1-2 du/ac and Private Open Space. Tax Map 99-4 ((1)) 41, 42, and 43. MOUNT VERNON DISTRICT. JOINT PUBLIC HEARING.

Frank Stearns, Esquire, Applicants Agent, Donohue & Stearns, PC, reaffirmed the affidavit dated May 6, 2014.

There were no disclosures by Commission members.

Megan Duca, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of applications RZ/FDP 2014-MV-002.

When Commissioner Flanagan asked staff to provide more information on the existing access to the subject property, Ms. Duca pointed out the location of the access point and the extent of the existing driveway.

Answering questions from Commissioner Flanagan, Ms. Duca confirmed that the existing driveway on the subject property crossed the stream by way of a bridge, which would remain unchanged under the proposal, and clarified that an additional conspan bridge would be installed along the proposed private street. She also indicated that the existing access to the site would be closed and re-vegetated. A discussion ensued between Commissioner Flanagan and Ms. Duca regarding the difference in elevation between the existing bridge and the proposed conspan wherein Ms. Duca confirmed that the proposed conspan would be higher to create additional stormwater capacity.

Referring to the elevations of the proposed dwelling units on Sheet 8A of the Conceptual Development Plan/Final Development Plan, Commissioner Flanagan and Ms. Duca pointed out that these units would be able to accommodate decks, which addressed concerns raised by the community regarding modifications to these units. Commissioner Flanagan added that the proposed dwelling units would not include decks when initially constructed, but noted that the designs of the windows on the rear of the units would accommodate a deck. Ms. Duca described how the design of the proposed dwelling units would accommodate decks and other possible additions. A discussion ensued between Commissioner Flanagan and Ms. Duca regarding the differences in elevation for certain dwelling units, the types of decks these units could accommodate, and the need for homeowners to obtain a permit for certain modifications due to setback requirements wherein Ms. Duca noted that Section 2-421 of the Zoning Ordinance permitted certain modifications to a dwelling unit, including decks, and the applicant had ensured that each lot could accommodate a deck within the limitations of the Zoning Ordinance, adding that the applicant would include language in the proffers to allow for the installation of lattice on decks.

When Commissioner Flanagan asked whether the revised proffers included language specifying that homeowners would be informed of the modifications that could be constructed on the dwelling units, Ms. Duca confirmed that this information would be disclosed to these homeowners in Proffer Number 21, Disclosure, adding that instructions would be included to inform them which features were permitted under the Zoning Ordinance. Commissioner Flanagan expressed support for this provision. (A copy of the revised proffers dated July 15, 2014 is in the date file.)

Commissioner Hart noted the importance of including language in the proffer that addressed the installation of lattice, stating that issues had arisen at other sites where the presence of lattice had created confusion in identifying a modification as a deck or an addition.

Referring to Proffer Number 38, Interparcel Access, Commissioner Hart asked staff why the interparcel access on Outlot A did not connect to the neighboring parcel to the west. Ms. Duca

said that the Fairfax County Department of Transportation (FCDOT) had only requested that the interparcel access connect to the proposed private street to the east. A discussion between Commissioner Hart and Ms. Duca ensued regarding the possible need to include interparcel access to the parcel west of Outlot A in the event the neighboring property redeveloped wherein Ms. Duca explained that the interparcel access for Outlot A had been included to ensure the lot had access to Telegraph Road.

Commissioner Hurley asked for additional information on the land that the applicant would dedicate to the Fairfax County Park Authority (FCPA) and whether the FCPA had agreed to accept this dedication. Ms. Duca identified the land on the subject property that would be dedicated, which was labeled Parcel A on Sheets 2 and 3 of the CDP/FDP. She also indicated that the applicant was required to carry out the cleanup and restoration of Parcel A prior to the dedication and the FCPA would then inspect the land to determine whether it would be accepted. In addition, Ms. Duca indicated that the homeowners association for the proposed development would be responsible for the maintenance of Parcel A if the FCPA did not accept the dedication.

Referring to Proffer Number 21, Commissioner Hurley asked why there was language added stipulating that homeowners would be informed of school bus boarding locations, stating that these locations could be subject to change. Ms. Duca deferred to the applicant for more information on this issue, saying that staff had not requested this language and had been added after subsequent meetings with the community.

Gary Garczynski, Applicant, President of NCL, XII, LLC described how the proposal had been developed, saying that it had been revised three times and would develop the subject property at a density less than the recommended range prescribed the Comprehensive Plan. He echoed remarks from Ms. Duca regarding the dedication of Parcel A to the FCPA. Mr. Garczynski explained that approximately 30 meetings with the surrounding community had been held and the subject applications had the support of Newberry Station, the Newington Civic Association, Raceway Farms, and Twin Brook at Mount Air. In addition, he indicated that the applicant had coordinated with the South County Federation (SCF) over a six-month period and the SCF had voted in support of the applications. He added that there was a concerted effort to modify the proposal to address the concerns raised by citizens and community. Mr. Garczynski said that the proposal also had the support of the neighboring property owners and commended staff for their work on these applications.

Resuming his presentation, Mr. Stearns addressed Commissioner Hart's concerns regarding the interparcel access on Outlot A, explaining that Outlot A would be incorporated into the yard for the owner of Lot 39B and the interparcel access would ensure that this lot was connected to the proposed private road. He also addressed Commissioner Hurley's concerns regarding the language in Proffer Number 21, which pertained to disclosing the location of school bus boarding sites, saying that this had been suggested by the community. Mr. Stearns stated that the proposal included 58 percent open space and approximately 4 acres of land that would be dedicated to the FCPA, adding that the quality of this land would ensure its accessibility to the public. In addition, he said that the applicant would clean up the land prior to dedication. Mr. Stearns stated that portions of the proposed private road would be widened, as requested by the community, to ensure sufficient parking. He also said that the applicant had conducted a soil study and the Geotechnical Review Board would review the site to ensure it could accommodate

the proposed construction. In addition, he indicated that the applicant would limit lighting on the site, at the request of the surrounding community. Mr. Stearns added that the proffers included sufficient tree preservation provisions.

Commissioner Flanagan pointed out that an issue had arisen during the SCF's review of the proposal regarding the proposed conspan. When he asked about the cost of this conspan, Mr. Stearns said that the cost range was between \$250,000 and \$300,000. A discussion ensued between Commissioner Flanagan and Mr. Stearns regarding the maintenance and eventual replacement for the proposed conspan wherein Mr. Stearns indicated that the expected lifespan of the conspan was approximately 60 to 70 years and the homeowners association for the community would set aside funds to cover the cost of replacing the conspan in the future.

Commissioner Flanagan expressed concern that, in the event that the proposed conspan was closed for an extended period, some of the dwelling units would lose their ability to access Telegraph Road and the SCF suggested that the existing bridge located on Outlot A could provide access in the interim. Mr. Stearns indicated that the applicant did not anticipate that the proposed conspan would require replacement, adding that that this conspan would be inspected every two years by a third party to ensure its integrity, but confirmed that Outlot A could provide access, subject to the permission of the owner.

In response to questions from Commissioner Flanagan, Mr. Stearns confirmed that garbage trucks would be required to back up in order to service the proposed development, but noted that Proffer Number 21 did not include language that would disclose this to prospective homeowners because it had not yet been determined at what times garbage trucks would service this community.

Commissioner Hart said that he supported providing interparcel access from Outlot A to the proposed private street, but pointed out that the use of Outlot A as an easement, which was articulated in Proffer Number 38, was not contingent on gaining permission from the owner of the lot and the permissible uses for such an easement might limit the ability to utilize this lot as interparcel access for the site west of the subject property. In addition, he expressed concern that such limited uses for Outlot A would preclude future consolidation of this lot with other adjacent lots. A discussion ensued between Commissioner Hart and Mr. Stearns regarding the intended use of Outlot A, the property owner's awareness of the intended use for Outlot A, and the ability to access Telegraph Road from these lots wherein Mr. Stearns indicated that Outlot A would be considered part of the yard for Lots 39 and 39B.

Commissioner Lawrence suggested that additional language be added to Proffer Number 21 to ensure that the homeowners association for the proposed development had documentation of the required disclosures to initial and future homeowners. Mr. Stearns did not object to this modification.

In reply to questions from Commissioner Flanagan, Mr. Stearns confirmed that the required disclosures outlined in Proffer Number 21 would be included in the deeds for the proposed dwelling units and subsequent purchasers of these units would be aware of these disclosures.

Commissioner Flanagan indicated that the reason for identifying Outlot A as an easement for interparcel access was to ensure that the owner of the neighboring property could access their property in the event that the Virginia Department of Transportation ceased permitting the existing curb cut on Telegraph Road. Mr. Stearns stated that the existing access to the site would be closed and the easement on Outlot A was required to ensure that Lot 39 had access to the proposed private street. A discussion ensued between Commissioner Flanagan and Mr. Stearns regarding how the current owner of Lot 39 intended to utilize Outlot A, the possibility of redeveloping this lot, and the possibility of providing additional access to this lot to accommodate future redevelopment.

Chairman Murphy called for speakers from the audience and recited the rules for public testimony.

Gregory Budnik, 8309 and 8311 Telegraph Road, Lorton, stated that he had coordinated with the applicant on the proposal and while he did not initially support redeveloping the subject property, he supported the subject applications. He described the character of his property, noting the improvements he had made at his expense. In addition, he pointed out that the amount of available land to develop near his property was limited. Mr. Budnik announced his intent to remain on his property and echoed remarks from Mr. Garczynski, saying that the surrounding community supported the proposal. He also addressed Commissioner Hart's concern about Outlot A, stating that he did not object to reserving this lot as an easement.

Rebecca Sue Harris, 6511 Newington Road, Lorton, said that she owned and operated a horse training facility on her property. She echoed remarks from Mr. Budnik, saying that she had not initially supported redeveloping the surrounding area, but she supported the proposed development. She indicated that she had worked with the applicant to address her concerns regarding potential disruptions to her horse training facility and they had agreed to provide a suitable barrier to mitigate the noise impact of the proposed development and restrict the ability of children to access her property. Ms. Harris added that she would continue coordinating with the applicant to address concerns regarding the hours of operation of her horse training facility.

Commissioner Hedetniemi noted the importance of providing a sufficient barrier around a horse training facility to ensure the safety of children and animals.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Stearns, who declined. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Flanagan for action on these cases.

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Chairman Murphy: Public hearing is closed; Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I'm satisfied with the proffers that we - the community has worked out. And so I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2014-MV-002

AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED JULY 15, 2014.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Is there a discussion of the motion? All those in favor to recommend to the Board of Supervisors that it approve RZ 2014-MV-002, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Flanagan.

Commissioner Flanagan: I MOVE THAT THE PLANNING COMMISSION APPROVE THE FINAL DEVELOPMENT PLAN 2014-MV-002, SUBJECT TO DEVELOPMENT CONDITIONS DATED JULY 3, 2014, AND THE BOARD'S APPROVAL OF RZ 2014-MV-002 AND THE ASSOCIATED CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor of the motion to approve FDP 2014-MV-002, subject to the Board's approval of the rezoning and Conceptual Development Plan, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Third, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF SECTION 11-302(2) OF THE ZONING ORDINANCE FOR THE MAXIMUM LENGTH OF A PRIVATE STREET IN FAVOR OF THE PRIVATE STREET SHOWN ON THE CDP/FDP.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Finally, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF SECTION 8-0101.1 AND 8-0102 OF THE PUBLIC FACILITIES MANUAL REQUIRING A SIDEWALK ON BOTH SIDES OF THE PRIVATE STREET IN FAVOR OF THE SIDEWALK SHOWN ON THE CDP/FINAL DEVELOPMENT PLAN.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(Each motion carried by a vote of 12-0.)

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The Commission went into recess at 9:13 p.m. and reconvened in the Board Auditorium at 9:22 p.m.

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PA 2013-I-B1 – COMPREHENSIVE PLAN AMENDMENT
(REVITALIZATION OF BAILEY'S CROSSROADS) – To consider proposed revisions to the Comprehensive Plan for Fairfax County, VA, in accordance with the *Code of Virginia*, Title 15.2, Chapter 22. This Amendment concerns approx. 2.72 ac. generally located on Leesburg Pike between Charles Street and Washington Drive. The property is addressed as 5885 Leesburg Pike, Falls Church, VA 22044 [Tax Map 61-2 ((17)) (D) 1]; 3401 and 3423 Charles Street [Tax Map 61-2 ((18)) 1 - 4]; 3425 Charles Street [Tax Map 61-2 ((18)) 5]; 3408 Washington Drive [Tax Map 61-2 ((17)) (D) 4]; 3410 Washington Drive [Tax Map 61-2 ((17)) (D) 5]; no listed address [Tax Map 61-2 ((17)) (D) 3]. The area is planned for office use on Tax Map 61-2 ((17)) (D) 1 and 3; ((18)) 1, 2, and 3 and residential use at 2-3 DU/AC on Tax Map 61-2 ((17)) (D) 4 and 5; ((18)) 4 and 5. Under the redevelopment option: Retail and office uses up to 0.35 FAR on Tax Map 61-2 ((17)) (D) 1, 3. Office, retail or mixture of these uses can be developed up to 0.25 FAR with conditions on Tax Map 61-2 ((18)) 1-4. The Amendment will consider expanding the Baileys Crossroads Community Business Center to include Tax Map 61-2 ((18)) 5 and ((17)) (D) 4 and 5; and additional commercial uses that may include drive-through services on Tax Map 61-2 ((17)) (D) 1, 3, 4, and 5 and 61-2 ((18)) 1-5. Recommendations relating to the transportation network may also be modified. MASON DISTRICT. PUBLIC HEARING.

Commissioner Hall announced her intend to the defer the decision only for this case at the conclusion of the public hearing, stating that the Mason District Land Use Committee had not yet reviewed the proposed Amendment and planned to do so on Tuesday, July 22, 2014.

Referring to the second paragraph on page 2 of the staff report, Commissioner Hall pointed out that the proposed Amendment was intended to be concurrent with a Rezoning and Special Exception application. She clarified that the proposed Amendment pertained only to revising the language in the Comprehensive Plan and asked staff to explain why this language had been included.

Bernard Suchicital, Planning Division, Department of Planning and Zoning, explained that the applicant for the Rezoning and Special Exception applications had requested that the proposed Amendment be concurrent, but indicated that issues had arisen with the Rezoning application and this application could no longer be reviewed in conjunction with the proposed Amendment. Commissioner Hall noted the importance of ensuring that the language in the Comprehensive Plan was sufficiently broad to ensure that it could be utilized by any developer seeking to develop a property.

Mr. Suchicital presented the staff report, a copy of which is in the date file. He noted that staff recommended adoption of Comprehensive Plan Amendment PA 2013-I-B1.

Chairman Murphy called the first listed speaker.

William Lawson Jr., 6045 Wilson Boulevard, Arlington, said that he represented Spectrum Development (SD), LLC, who had purchased the subject property. He stated that he had been on the task force that had originally re-planned Bailey’s Crossroads and described the development throughout the area. He then delivered a presentation where he explained the following:

- The Bailey’s Crossroads area was divided into three sections and the section that SD intended to develop was identified as Bailey’s West;
- The section identified as Town Center was large enough to accommodate a grid of streets and a light rail stop; and
- The level of density and the grid of streets would accommodate an urban village design.

Mr. Lawson stated that he did not support staff’s recommendation to include pedestrian entrances for buildings located along Leesburg Pike because it was not consistent with the wishes of the tenants of these buildings. He added that his presentation included suggested revisions to the Plan text regarding the primary entrance to the proposed development and the proposed realignment of Charles Street and Glen Forest Drive. Referring to his presentation, Mr. Lawson described his client’s plan to develop the subject property, which included a CVS Pharmacy.

Commissioner Hall clarified the scope of the proposed Amendment, saying that it would only revise the language of the Comprehensive Plan.

Continuing his testimony, Mr. Lawson described SD’s community outreach efforts, stating that they had organized meetings with neighboring residents and additional meetings were planned. He also indicated that SD would coordinate with the Mason District Land Use Committee on the

proposed Amendment and his client’s planned development. He noted that concerns had been raised regarding the proposed development and said that these concerns were site-specific and would be addressed during the Rezoning process. Mr. Lawson added that concerns had also been raised regarding traffic in the existing neighborhood. (A copy of Mr. Lawson’s presentation is in the date file.)

Commissioner Hall asked Mr. Lawson for additional information on the two proposed revisions to the proposed Amendment that SD was requesting. Mr. Lawson explained that he favored including the realignment of Charles Street and Glen Forest Drive in an approved development plan. He also indicated that the proposed Amendment needed additional language to clarify whether front entrances would be required on certain buildings.

When Commissioner Hall asked staff to respond to Mr. Lawson’s requests, Michael W. Garcia, Fairfax County Department of Transportation (FCDOT), explained that the existing language regarding the realignment of Charles Street and Glen Forest Drive was included to allow FCDOT to review the alignment during the Rezoning process in lieu of waiting for the Site Plan Review. A discussion ensued between Commissioner Hall and Mr. Garcia regarding the review process for the proposed realignment wherein Mr. Garcia clarified that staff had raised concerns that this alignment would not meet County standards and the existing language was included to ensure that the alignment would be subject to staff and FCDOT’s review.

When Commissioner Sargeant asked whether the proposed Amendment would affect future traffic management plans in the surrounding area, Mr. Garcia indicated such plans would not be affected, but added that the Amendment would ensure that these plans were consistent with urban design standards.

In reply to questions from Commissioner Flanagan, Mr. Garcia confirmed that the Comprehensive Plan recommended that Charles Street and Glenn Forest Drive be realigned into a four-way intersection. He also stated that Charles Street would be moved under the existing Plan text, but staff had expressed concern that this could not occur under the plan proposed by SD. A discussion ensued between Commissioner Flanagan and Mr. Garcia regarding SD’s ability to accommodate the proposed realignment in their planned development wherein Mr. Garcia indicated that such a development would have sharper turns.

Referring to the paragraph labeled “Redevelopment Option” on page 9 of the staff report, Commissioner Hart asked staff to explain why restaurant uses had been discouraged on the subject property, noting the potential impacts of such uses on the surrounding areas and the extent to which these impacts would continue under the proposed Amendment. Mr. Suchicital explained that during staff’s review of the subject property during the 2009 Area Plans Review (APR) cycle, the surrounding community had raised concerns about the impact of restaurant uses on parcels located at the corner of Charles Street and Leesburg Pike. He cited noise, odor, and litter as the primary impacts of concern. He indicated that the existing language had been added to the Comprehensive Plan to mitigate this impact by favoring retail and office uses. Mr. Suchicital then explained that staff favored removing this language because it would create additional opportunities for restaurant uses, saying that the inclusion of additional lots would facilitate the transition between residential and non-residential properties. A discussion ensued

between Commissioner Hart and Mr. Suchicital regarding the existing language in the Comprehensive Plan pertaining to transitions between properties at the site wherein Mr. Suchicital stated that the additional space provided by the lots would permit greater flexibility for restaurant uses, citing a previous office development on the subject property that utilized additional space to improve the buffer for the neighboring residential properties.

When Commissioner Lawrence asked whether staff supported the proposed Amendment’s language regarding buffering and transitional screening, Mr. Suchicital said that staff was satisfied with this language, but noted that there were still concerns regarding SD’s proposed development.

Gwen Lowit, 3504 Washington Drive, Falls Church, noted that she lived near the subject property and expressed concern about removing the language on page 9 of the staff report that discouraged restaurant uses. She pointed out that there were existing restaurant establishments in the surrounding area and litter was an existing problem along Washington Drive, stating that there were not sufficient provisions to ensure that litter would be properly disposed of. Ms. Lowit also expressed concern about that the inclusion of drive-throughs on the subject property was not consistent with the provisions of the proposed Plan text, which encouraged pedestrian-friendly development. In addition, she indicated that traffic was an outstanding issue for the surrounding area, saying that the recommended development would increase traffic along Charles Street and Washington Drive. She added that there was no traffic signal at the end of Washington Drive and noted the difficulty in making left turns from this street during heavy traffic periods, saying that the proposed development would worsen this condition. Ms. Lowit also expressed concern about the impact of the signage on the buildings in the recommended development. (A copy of Ms. Lowit’s statement is in the date file.)

A discussion ensued between Commissioner Hall and Ms. Lowit regarding the existing restaurant establishments responsible for the litter and odor along Washington Drive wherein Ms. Lowit expressed concern that permitting additional restaurants would worsen this condition.

Commissioner Hall said that she did not support permitting fast food drive-throughs for the subject property. When she asked Ms. Lowit whether she objected to a drive-through pharmacy, Ms. Lowit expressed concern that such a use would increase traffic along Charles Street. She also reiterated that this use was not consistent with the proposed Amendment’s recommendation that development on the subject property be pedestrian-friendly. A discussion ensued between Commissioner Hall and Ms. Lowit regarding the difference between a pharmacy drive-through and a fast food drive-through wherein Commissioner Hall pointed out that there was not significant queuing at pharmacy drive-throughs.

When Commissioner Hall asked about the possibility of including traffic circles to mitigate traffic in the area, Ms. Lowit indicated that there was not sufficient space to accommodate a traffic circle on Washington Drive. She also expressed concern about trucks utilizing Washington Street as a cut-through route and favored a prohibition on trucks traffic along this street, but noted that enforcement on traffic provisions was poor in this area.

A discussion between Commissioner Flanagan and Ms. Lowit regarding a letter written on the proposed Amendment written on behalf of the Cortland Park Civic Association and the operating status of this association wherein Ms. Lowit pointed out that a petition from residents who shared her concerns had been included in this letter. (A copy of the letter is in the date file.)

A discussion between Commissioner Hall and Ms. Lowit ensued regarding the status of Washington Drive as a historic neighborhood wherein Ms. Lowit clarified that this street was not an official historic district.

Replying to questions from Commissioner Ulfelder, Ms. Lowit confirmed that vehicles from Columbia Pike could utilize Charles Street and Washington Drive to access the subject property.

Chairman Murphy called for speakers from the audience.

Christopher Beach, 3429 Charles Street, Falls Church, echoed concerns from Ms. Lowit regarding existing traffic concerns in the surrounding area. He added that that he favored ensuring sufficient access to the subject property from multiple streets to avoid incurring an excessive traffic burden on one particular street.

Nicholas Ferk, 3427 Charles Street, Falls Church, expressed concern that the buffer between his property and the subject property was insufficient and suggested additional language to specify the design of the buffer.

A discussion ensued between Commissioner Hall and Mr. Ferk regarding the location of his property, the current condition of the buffer on his property, and the kind of buffer he sought to screen his property from the site wherein Mr. Ferk confirmed that his property was located on Lot 6, which was adjacent to Lot 5 on the subject property, and clarified that he favored a buffer that discouraged access to his property.

Irene Xenos, 3505 Maple Court, Falls Church, echoed remarks from Ms. Lowit regarding enforcement of traffic provisions along Washington Street, saying that vehicles frequently parked illegally along this street and the recommendation in the proposed Amendment would worsen this condition. She also echoed concerns from Mr. Ferk regarding insufficient buffering between the subject property and the neighboring residential developments, adding that she favored requiring developers to provide a more suitable buffer.

Commissioner Hall pointed out that Washington Drive was a public street and noted that certain routes required vehicles to utilize this street. A discussion ensued between Commissioner Hall and Ms. Xenos regarding the close proximity of the driveways of the residential units located along Washington Drive to the access points for the proposed development wherein Ms. Xenos said that she favored locating the access points for the development closer to Leesburg Pike.

Jeffrey Saxe, 12728 Heatherford Place, Fairfax, said that he coordinated with SD on a planned redevelopment for the subject property. He addressed concerns regarding the discouragement of restaurant uses on the subject property, stating that this prohibition pertained to four specific lots and by consolidating these lots with others, it would create additional opportunities for more

efficient restaurant uses. In addition, he said that restaurant uses were consistent with the proposed Amendment's recommendation to make the site more pedestrian-friendly. Mr. Saxe also addressed concerns from Ms. Lowit regarding a potential drive-through pharmacy on the subject property, explaining that the use such drive-throughs was less than that of a fast food establishment. He added that most of the trips to the subject property would come from Leesburg Pike and the traffic impact on Charles Street and Washington Drive would be minimal. Mr. Saxe addressed concerns about buffering between the subject property and the neighboring residential developments, saying that SD would coordinate with residents to ensure the buffering was sufficient.

Commissioner Hall noted the difficulty of maintaining buffers between properties that included walls and encouraged additional study on this issue for future development on this site. She also pointed out the difficulty with the current alignment between Charles Street and Glen Forest Drive, adding that the realignment of these streets was a considerable factor in redeveloping the subject property. She then asked staff to elaborate on their concerns regarding this realignment. Mr. Suchicital explained that there had been a previously-approved General Development Plan that would realign Charles Street and Glen Forest Drive, but SD's planned development for the site was not consistent with staff's preferred design for the realignment, adding that staff would coordinate with SD to achieve a suitable design. A discussion ensued amongst Commissioner Hall, Mr. Suchicital, and Mr. Garcia regarding the County's preferred design for the realignment of Charles Street and Glen Forest Drive and the feasibility of this design wherein Mr. Suchicital indicated that the preferred design for this new intersection would not incorporate sharp or unusual angles and Mr. Garcia pointed out that plans for such a realignment had not been finalized.

Commissioner Flanagan expressed concern that the realignment of Charles Street and Glen Forest Drive would incur additional cut-through traffic and suggested that Charles Street and Washington Drive be converted into cul-de-sacs to discourage such traffic. Mr. Garcia stated that this option had not been considered, adding that staff did not favor terminating street connections in the area because it would increase traffic on Columbia Pike and Leesburg Pike. A discussion ensued between Commissioner Flanagan and Commissioner Hall regarding the routes for cut-through traffic around Charles Street and Glen Forest Drive wherein Commissioner Hall pointed out that Glen Forest Drive dead-ended and did not access Columbia Pike.

Commissioner Hedetniemi expressed concern that the subject property had not been planned to sufficiently accommodate pedestrians and bicycle traffic, saying that she favored greater study on this issue.

Commissioner Hart supported Commissioner Hall's intent to defer the decision only for the proposed Amendment. He cited a previous case in the Lee District where there had been difficulties accommodating a realignment of two streets, which resulted in a design that was not consistent with the recommendations in the Comprehensive Plan. He then pointed out that the proposed Plan text for the design of the realignment for Charles Street and Glen Forest Drive was not sufficiently detailed and asked whether there were other portions of the Comprehensive Plan that articulated the design for this alignment. Mr. Garcia said that there was no Plan text that specified the design of the realignment, adding that this was done to ensure sufficient flexibility

for future developers. Commissioner Hart stated that while he understood the need for flexibility in designing the realignment for Charles Street and Glen Forest Drive, he favored including additional language in the proposed Amendment to articulate the preferred design of this alignment.

Commissioner Hart pointed out that there had been instances where additional Plan text had been included to ensure sufficient buffering between commercial development and established residential communities, but noted that there was no such text in the proposed Amendment and favored including such text, provided that it was within the scope of the proposed Amendment.

Answering questions from Commissioner Ulfelder, Mr. Garcia indicated that the proposed Amendment would facilitate the realignment for Charles Street and Glen Forest Drive, adding that the Amendment would provide more flexibility in achieving this alignment. He also confirmed that each lot on the subject property, including the additional lots that would be consolidated, was under contract.

In response to questions from Commissioner Flanagan, Mr. Garcia said that FCDOT had recommended the realignment for Charles Street and Glen Forest Drive, but this plan did not include details on preferred designs for this alignment. In addition, he indicated that while it was possible that future developers would realign other streets with Charles Street, the Comprehensive Plan was specific in recommending that Charles Street and Glen Forest Drive be realigned. A discussion ensued between Commissioner Flanagan and Mr. Suchicital regarding who would be responsible for implementing the realignment and when this realignment had been initially recommended wherein Mr. Suchicital pointed out that there were no recommended transportation improvements for Glen Forest Drive and it would be easier to implement the necessary improvements on Charles Street because it was expected to be redeveloped sooner.

There being no more speakers, Chairman Murphy called for closing comments from Mr. Suchicital, who declined. There were no further comments or questions from the Commission; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this case.

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Commissioner Hall: Thank you, Mr. Chairman. Clearly, we are not ready to move forward on this application. As I mentioned, July 22nd it will be at the Mason District Land Use Committee. I strongly encourage you to come and raise any concerns that you have. I RECOMMEND THAT WE DEFER DECISION ON THIS PLAN AMENDMENT NUMBER 2013-I-B1 UNTIL A DATE CERTAIN OF JULY 30TH, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer this Plan Amendment to date certain of July 30 –

Commissioner Hall: 30th.

Chairman Murphy: – 30th, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried by a vote of 12-0.)

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The meeting was adjourned at 10:39 p.m.

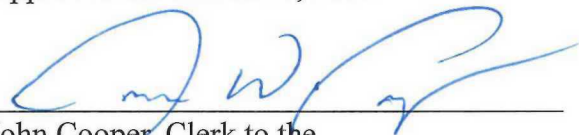
Peter F. Murphy, Chairman

Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: March 26, 2015



John Cooper, Clerk to the
Fairfax County Planning Commission